

REMARKS

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-7 and 45-63 are currently pending.
- Claims 45-49 are canceled herein.
- Claims 1 and 50 are amended herein.

Support for the amendments to claims 1 and 50 is found in the specification, as originally filed, at least at page 16, line 25 – page 17, line 6. The amendments submitted herein do not introduce any new matter.

Claims 1-7 and 50-63 Recite Statutory Subject Matter Under § 101

Claims 1-7 and 50-63 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection, and requests reconsideration in light of the amendments presented above and remarks presented below.

Claims 1-7

Regarding claims 1-7, the Office contends that, “applicant’s method steps are not tied to a particular machine and do not perform a transformation.” (Office Action, page 3.) Applicant herein amends claim 1 to recite, in part, “broadcasting, via a computer network, a network identifier signal that uniquely identifies the computer network; broadcasting, via the computer network, an authorizer signal that identifies an authorizer network address on the computer network, the authorizer network address

being associated with an authorizer that is configured to authorize mobile clients to utilize the computer network.” (emphasis added)

Applicant respectfully submits that the amendments to claim 1 render the rejection of claims 1-7 under 35 U.S.C. § 101 moot. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claims 50-56

Regarding claims 50-56, the Office contends that the claims “are directed to a *system* that can merely be software per se or modules.” (Office Action, page 3.)

Applicant herein amends to claim 50 to recite, in part:

A system comprising:
a computer network;
a computing device configured as an authorizer;
a computing device configured as a verifier;

Applicant respectfully submits that the amendments to claim 50 render the rejection of claims 50-56 under 35 U.S.C. § 101 moot. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claims 57-63

Regarding claims 57-63, the Office contends that the claims are “directed to computer readable storage mediums.” (Office Action, page 3.) The Office also states:

The USPTO recognizes that applicants may have claims directed to computer readable media that cover signals *per se*, which the USPTO must reject under 35 U.S.C. § 101 as covering both non-statutory subject matter and statutory subject matter.

(Office Action, page 3.)

Applicant respectfully traverses this rejection. First, claims 57-63 recite, “A computer readable storage medium,” and do not recite “a computer readable medium.” Furthermore, the specification does not define the claimed “computer readable storage medium” to include signals. Specifically, the specification makes the following statements regarding “computer-readable media” and “computer-readable storage media”:

Computer 200 further includes a hard disk drive 214 for reading from and writing to a hard disk (not shown), a magnetic disk drive 216 for reading from and writing to a removable magnetic disk 218, and an optical disk drive 220 for reading from or writing to a removable optical disk 222 such as a CD ROM or other optical media. The hard disk drive 214, magnetic disk drive 216, and optical disk drive 220 are connected to the bus 206 by an SCSI interface 224 or some other appropriate interface. The drives and their associated computer-readable media provide **nonvolatile storage** of computer-readable instructions, data structures, program modules and other data for computer 200. Although the exemplary environment described herein employs a hard disk, a removable magnetic disk 218 and a removable optical disk 222, it should be appreciated by those skilled in the art that other types of computer-readable media **which can store data** that is accessible by a computer, such as magnetic cassettes, flash memory cards, digital video disks,

random access memories (RAMs), read only memories (ROMs), and the like, may also be used in the exemplary operating environment.
(Specification, page 14, lines 3-18, emphasis added.)

Generally, the data processors of computer 200 are programmed by means of instructions stored at different times in the various computer-readable storage media of the computer. Programs and operating systems are typically distributed, for example, on floppy disks or CD-ROMs. From there, they are installed or loaded into the secondary memory of a computer. At execution, they are loaded at least partially into the computer's primary electronic memory. The invention described herein includes these and other various types of computer-readable storage media **when such media contain** instructions or programs for implementing the steps described below in conjunction with a microprocessor or other data processor. The invention also includes the computer itself when programmed according to the methods and techniques described below.

(Specification, page 16, lines 1-16, emphasis added.)

As evidenced by the citations from the specification above, which include the only references in the specification to "computer-readable media" and "computer-readable storage media," the specification does not define the claimed "computer-readable storage media" to include signals *per se*. Rather, the specification clearly defines "computer-readable storage media" as being "storage" media, such as floppy disks or CD-ROMs. In contrast, signals are considered transmission media, and are not included in the specification, either directly or implied.

Accordingly, Applicant submits that claims 57-63, as previously submitted, are in fact, directed to statutory subject matter under 35 U.S.C. § 101. Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 101 be withdrawn.

Conclusion

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Kayla D. Brant #46,576/

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Kayla D. Brant
(kayla@leehayes.com; 509-944-4742)
Registration No. 46576